

The following listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (Currently amended): An applicator for attaching fasteners to body tissue comprising:

a distal portion having an elongate outer tube, a connecting end and a terminal end;

a proximal portion having a handle and an actuator, the proximal portion being attached to the connecting end of the distal portion; and

a rotator cooperating with the actuator, the rotator including a longitudinal groove extending along at least a portion thereof, the groove configured to receive a portion of at least one fastener of a plurality of fasteners, wherein the rotator resides within and extends substantially the length of the outer tube such that actuation of the actuator rotates and translates the at least one fastener relative to the outer tube while the rotator remains longitudinally stationary with respect to the outer tube.

Claim 2 (Previously presented): The applicator of claim 1 further comprising:

a lock/clip indicator for engaging the plurality of fasteners; and

a load spring for applying longitudinal forces against the lock/clip indicator.

Claim 3 (Previously presented): The applicator of claim 2, wherein the lock/clip indicator is configured to prevent actuation of the actuator upon discharge of the plurality of fasteners from the applicator.

Claim 4 (Previously presented): The applicator of claim 1 further comprising:

a thread form contained in an interior of the terminal end adapted to engage the plurality of fasteners.

Claim 5 (Previously presented): The applicator of claim 4, wherein the thread form is an interlock spring fixedly retained in the interior of the terminal end.

Claim 6 (Previously presented): The applicator of claim 1 further comprising:

a nose piece attached to the terminal end, the nose piece having structure projecting perpendicularly toward a longitudinal axis of the outer tube and adapted to engage the plurality of fasteners.

Claim 7 (Previously presented): The applicator of claim 1, wherein the distal portion and the proximal portion are releasably secured together.

Claim 8 (Previously presented): The applicator of claim 7, wherein the distal portion is disposable and the proximal portion is reusable.

Claim 9 (Currently amended): The applicator of claim 1, wherein the actuator includes:

a lever having a first end and a second end, the lever pivotally attached about a midpoint to the handle;

the first end of the lever for gripping by hand;

a lead screw rotatably attached to an interior of the handle;

a nut driver, the second end of the lever pivotally attached to the nut driver, the nut driver

for traveling along the lead screw, thereby turning the lead screw; and

the lead screw attached to the rotator so that as the lever is depressed by hand the nut driver will travel along the lead screw towards the rotator thereby turning the rotator in the process.

Claim 10 (Previously presented): The applicator of claim 9, wherein the lead screw is a high helix lead screw.

Claim 11 (Previously presented): The applicator of claim 9, wherein the lever has a midsection extension.

Claim 12 (Previously presented): The applicator of claim 11, further comprising gear teeth formed within the interior of the handle.

Claim 13 (Previously presented): The applicator of claim 12, further comprising a spring loaded pawl pivotally attached to the midsection extension and adapted to engage the gear teeth.

Claim 14 (Previously presented): The applicator of claim 1, wherein the actuator includes:

a lever having a first end, a midsection, and a second end, the first end pivotally attached to the handle, the midsection for gripping by hand;

a lead screw rotatably attached to an interior of the handle;

a nut driver, the second end pivotally attached to the nut driver, the nut driver for traveling along the lead screw, thereby turning the lead screw; and

means for the lead screw to releasably engage the rotator so that as the lever is depressed by hand, the nut driver will travel along the lead screw toward the rotator thereby turning the rotator in the process and so that when the lever is returned to its undepressed position, the lead screw will rotate in the reverse direction and independently of the rotator which remains stationary.

Claim 15 (Previously presented): The applicator of claim 14, wherein the lead screw is a high helix lead screw.

Claim 16 (Previously presented): The applicator of claim 14, wherein the releasable engagement means is a ratchet mechanism.

Claim 17 (Previously presented): The applicator of claim 14, wherein the lever has a mid-section extension, formed in the mid-section extension are a plurality of teeth.

Claim 18 (Previously presented): The application of claim 17, further comprising a latch pawl cooperating with the teeth to prohibit the lever from backstroking until it has been completely depressed.

Claim 19 (Currently amended): An applicator for attaching fasteners to body tissue comprising:

an actuator;

a rotator operatively coupled to the actuator, the rotator having a longitudinal groove

adapted to receive a portion of each one of a plurality of fasteners;

an outer tube surrounding at least a portion of the rotator, wherein actuation of the actuator rotates and translates each fastener of the plurality of fasteners relative to the outer tube and the rotator remains axially stationary with respect to the outer tube.

Claim 20 (Currently amended): The applicator of claim 19, wherein the rotator is configured to eject the each fastener and the longitudinal groove is configured to releasably receive the portion of each one of the plurality of fasteners.

Claim 21 (Currently amended): The applicator of claim 19, wherein the longitudinal groove is adapted to slidably receive the portion of each one of the plurality of fasteners.

Claim 22 (Currently amended): The applicator of claim 19, wherein at ~~last~~ least a portion of each one of the plurality of fasteners surrounds the rotator.

Claim 23 (New): The applicator of claim 1, wherein the longitudinal groove is formed on an outer surface of the rotator.

Claim 24 (New): The applicator of claim 23, wherein the longitudinal groove is substantially parallel to a longitudinal axis of the rotator.

Claim 25 (New): The applicator of claim 1, wherein at least one fastener of the plurality of fasteners is formed from an absorbable material.

Appl. No. 10/755,427

Amendment dated July 10, 2009

Reply to Office Action Mailed April 10, 2009

Claim 26 (New): The applicator of claim 19, wherein at least one fastener of the plurality of fasteners is formed from an absorbable material.